



Board of Zoning Appeals

601 Lakeside Avenue, Room 516

Cleveland, Ohio 44114-1071

[Http://planning.city.cleveland.oh.us/bza/cpc.html](http://planning.city.cleveland.oh.us/bza/cpc.html)

216.664.2580

JANUARY 29, 2018

9:30

Calendar No. 17-374: 16900 Lorain Ave.

Ward 17

Martin J. Keane

29 Notices

Kamcor Realty, owner, and Brittany Bosch, prospective tenant, propose to establish tattooing use in a C2 Local Retail Business District. The owner appeals for relief from the strict application of Section 343.01(b) which states that a Tattooing establishment is not permitted in a Local Retail Business District but is first permitted in a General Retail Business District per section 343.11(b)(2)(P), and even when in the district must be at least 1,000 feet from a residential district per section 347.12.(b)(2), and from another tattooing establishment per section 347.12(b)(3). The proposed use abuts a residential district and is within 1,000 feet of another tattoo use application seeking a zoning variance at 17134 Lorain Ave. (Filed December 21, 2017)

9:30

Calendar No. 17-376: 6808 Bushnell Ct.

Ward 5

Phyllis E. Cleveland

9 Notices

DP Towing & Auto Salvage LLC., owner, proposes to use as junkyard/auto salvage yard on a 4,875 square foot lot in a B3 Semi-Industry District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 345.03(b) which states that outdoor storage of junk and debris (junkyard) is not permitted in a Semi-Industry District. The use is first permitted in a General Industry District per section 345.04(a)(3), and only if completely enclosed with a 7 foot high opaque fence or wall and only if such use is not within 500 feet of a residence district. The proposed use is within 20 feet of a residence district and no screening fence or wall is proposed. Auto salvage/wrecking yard is not permitted in a Semi-Industry District but is first permitted in a General Industry District per Section 345.04(a)(4), with all fencing requirements listed above, and must be on a 50,000 square foot lot.
2. Section 349.04(j) which states that accessory off street parking area equal to 15% of the area of the lot is required.
3. Section 349.07 which states that all parking and maneuvering areas must be paved and drained within the lot per section and no parking area is provided. (Filed December 26, 2018)

9:30

Calendar No. 17-377:

1977 East 126 St.

Ward 6

Blaine A. Griffin

16 Notices

WXZ Development Incorp., owner, proposes to erect a 28' x 60' four story frame single family residence with attached garage in a C1 Multi-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 353.01 which states that the Maximum Height allowed 35' in a '1' Height District and the appellant is proposing 45'
2. Section 355.01 which states that the Maximum Gross floor area shall not be greater than 50% of lot size or in this case 857 square feet and the appellant proposing 2,428 square feet. Also this section states that the minimum lot area required is 4,800 square feet and the appellant is proposing 1,714 square feet.
3. Section 357.04(a) which states that the required front yard setback shall not be less than 15% of the depth of lot or in this case 13.4 feet and the appellant is proposing 8.33 feet and a cantilever roof at 8 feet.
4. Section 357.08(b)(1) which states that the required rear yard 22.5 feet and the appellant is proposing 0 feet.
5. Section 357.09(b)(2)(A) which states that no building shall be less than 10' from main building on adjoining lot and the appellant is proposing 8 feet and 0 feet.
6. Section 357.09(b)(2)(C) which states that the required interior side yard is 11.25 feet and the appellant is proposing 0 feet. This section also states that the total of both side yards on same premises shall not be less than 10'.
7. Section 357.13 which states that an air conditioning unit is not a permitted yard encroachment.
8. Section 357.15(a) which states that the distance between main building and rear building shall not be less than 40 feet and the appellant is proposing 26 feet. (Filed December 28, 2017)

9:30

Calendar No. 17-378:

1979 East 126 St.

Ward 6

Blaine A. Griffin

16 Notices

WXZ Development Incorp., owner, proposes to erect a 28' x 34' four story frame single family residence with attached garage in a C1 Multi-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 353.01 which states that the Maximum Height allowed 35' in a '1' Height District and the appellant is proposing 45'.
2. Section 355.01 which states that the Maximum Gross floor area shall not be greater than 50% of lot size or in this case 796 square feet and the appellant proposing 2,975 square feet. Also, this section states that the minimum lot area required is 4,800 square feet and the appellant is proposing 1,592 square feet. And, the minimum required lot width is 40 feet and the appellant is proposing 35.78 feet.
3. Section 357.04(a) which states that the required front yard setback shall not be less than 15% of the depth of lot or in this case 8.88 feet and the appellant is proposing 8.33 feet.

4. Section 357.08(b)(1) which states that the required rear yard 22.5 feet and the appellant is proposing 0 feet.
5. Section 357.09(b)(2)(A) which states that no building shall be less than 10' from main building on adjoining lot and the appellant is proposing 0 feet.
6. Section 357.09(b)(2)(C) which states that the required interior side yard is 11.25 feet and the appellant is proposing 0 feet. This section also states that the total of both side yards on same premises shall not be less than 10'.
7. Section 357.13 which states that an air conditioning unit is not a permitted yard encroachment.
8. Section 357.15(a) which states that the distance between main building and rear building shall not be less than 40 feet and the appellant is proposing 24 feet. (Filed December 28, 2017)

9:30

Calendar No. 17-379:

1981 East 126 St.

Ward 6

Blaine A. Griffin

16 Notices

WXZ Development Incorp., owner, proposes to erect a 28' x 34' four story frame single family residence with attached garage in a C1 Multi-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 353.01 which states that the Maximum Height allowed 35' in a '1' Height District and the appellant is proposing 45'.
2. Section 355.01 which states that the Maximum Gross floor area shall not be greater than 50% of lot size or in this case 796 square feet and the appellant proposing 2,309 square feet. Also, this section states that the minimum lot area required is 4,800 square feet and the appellant is proposing 1,878 square feet. And, the minimum required lot width is 40 feet and the appellant is proposing 35.78 feet.
3. Section 357.04(a) which states that the required front yard setback shall not be less than 15% of the depth of lot or in this case 5.25 feet and the appellant is proposing 0 feet.
4. Section 357.08(b)(1) which states that the required rear yard 22.5 feet and the appellant is proposing 7 feet 6 inches.
5. Section 357.09(b)(2)(C) which states that the required interior side yard is 11.25 feet and the appellant is proposing 5 feet and 0 feet. This section also states that the total of both side yards on same premises shall not be less than 10'.
6. Section 357.13 which states that an air conditioning unit is not a permitted yard encroachment. (Filed December 28, 2017)

POSTPONED FROM NOVEMBER 27, 2017

9:30

Calendar No. 17-324:

5437 Broadway Avenue

Ward 5

Phyllis E. Cleveland

19 Notices

4Ever Social Club, LLC., owner, proposes to establish use as assembly space for community meetings, receptions, educational programs, and other events in a C2 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 343.11(b)(2)(L) which states that assembly and other social use of premises for receptions, parties and other programs is not permitted in a Local Retail Business District but first permitted in a General Retail Business District.
2. Section 349.04(e) which states that places of public assembly require a parking area equal to three times the gross floor area and no parking area is proposed. (Filed October 26, 2017-No Testimony) *FIRST POSTPONEMENT MADE AT THE REQUEST OF THE DEVELOPMENT CORPORATION TO ALLOW FOR TIME FOR A COMMUNITY MEETING.*

POSTPONED FROM DECEMBER 4, 2017

9:30

Calendar No. 17-325:

2285 Ashland Rd.

Ward 5

Phyllis E. Cleveland

20 Notices

Saady A. Hashem, owner, proposes to establish use as storage and recycling of building and demolition debris, including concrete crushing in a B3 General Industrial District

1. Section 345.04(a)(3) which states that a Lot used for storage of used building material must be at least 500 feet from a residence district. Proposed use is within 500 feet of a residence district.
2. Section 345.04(b) which states that rock/concrete crushing use is prohibited as the main or primary use of the premises; it is permitted only as accessory or incidental to a permitted use and only if approved by the Board of Zoning Appeals through a special permit.
3. Section 349.07(a) which states that all vehicle maneuvering areas shall be paved with asphalt or concrete. (Filed October 26, 2017-No Testimony) *FIRST POSTPONEMENT MADE AT THE REQUEST OF THE BOARD TO ALLOW THE APPELLANT TIME TO MEET WITH THE NEIGHBORHOOD PLANNER.*

POSTPONED FROM DECEMBER 11, 2017

9:30

Calendar No. 17-247:

8606 Denison Ave.

Ward 14

Jasmin Santana

24 Notices

WHS Realty, owner, proposes to change use from gas station to car rental facility in a C1 Local Retail Business District. The applicant appeals for relief from the strict application of Section 343.01 which states that Car rental is not permitted in the Local Retail Business District but first permitted in General Retail District. (Filed August 14, 2017-No Testimony) *THIRD AND FINAL POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT SO THAT HE CAN PRESENT HIS BUSINESS PLAN TO THE COMMUNITY. SECOND POSTPONEMENT MADE AT THE REQUEST OF THE COUNCILMAN TO ALLOW FOR TIME FOR FURTHER REVIEW. FIRST POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT DUE TO A SCHEDULING CONFLICT.*

POSTPONED FROM DECEMBER 18, 2017

9:30

Calendar No. 17-343

3951 Rocky River Drive

Ward 17

Martin J. Keane

20 Notices

Reach Counseling Services, owner, proposes to change use from a daycare to a group home in a B1 Two Family Residential District. The owner appeals for relief from the strict application of Section 337.08(g) which states that a state licensed residential facility for 6 to 16 persons is not permitted in the Two Family Residential District but first permitted in Multi-Family Residential. (Filed November 7, 2017-No Testimony) *FIRST POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT.*

POSTPONED FROM DECEMBER 18, 2017

9:30

Calendar No. 17-347:

1260/1212 Sumner Avenue

Ward 5

Phyllis E. Cleveland

12 Notices

1235 Euclid Ave. Cleveland LLC., owner, proposes to establish a 99 space parking lot in an E5 Semi-Industry District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 352.10 which states that a 6 foot wide frontage landscape strip is required along Sumner Avenue where parking abuts the street and no landscaping is proposed.
2. Section 349.07(b) which states that a driveway shall not be located less than 15 feet from adjacent property line; driveway is proposed at the intersection of Bronson Court and E. 12 Street property line.
3. Section 352.10(e) which states that a minimum 100 square foot island strip is required to separate parking spaces to no more than 20 parking spaces in a row; proposed lot has 22 parking space rows by Bronson Court and Sumner Avenue.
4. Section 341.02 which states that no building permit shall be issued by the city in Design Review Districts without design approval by the City Planning Commission; project has been denied by CPC. (Filed November 14, 2017-No Testimony) *FIRST POSTPONEMENT MADE AT THE REQUEST OF THE BOARD TO ALLOW TIME FOR THE APPELLANT TO BE REVIEWED BY CITY PLANNING COMMISSION.*